

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Gary Zdolshek, <i>et al.</i> ,	:	Case No. 1:02CV2338
	:	
Plaintiffs,	:	JUDGE O'MALLEY
	:	
v.	:	
	:	<u>MEMORANDUM & ORDER</u>
	:	
Alston & Bird, L.L.P., <i>et al.</i> ,	:	
	:	
Defendants.	:	

There is currently pending in this case a motion by Alston & Bird, L.L.P. and J. Lynn Thorneburg to dismiss Counts IV and V of the plaintiffs' complaint. (Doc. 17). The Court has been informed that the parties have resolved their differences in principle with respect to those claims. Accordingly, the motion is **DENIED WITHOUT PREJUDICE**.

IT IS SO ORDERED.

s/Kathleen M. O'Malley
KATHLEEN McDONALD O'MALLEY
UNITED STATES DISTRICT JUDGE